

REMARKS

Claims 1-6 remain pending in the above-referenced application and are submitted for the Examiner's reconsideration.

The Examiner noted that the certified copy of the foreign priority document has not yet been filed. Provided herewith is that foreign priority document.

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over French Published Patent Application No. 2 807 983 to Castagner ("Castagner") in view of United States Patent No. 6,097,287 to Lu ("Lu"). Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Castagner in view of Lu and United States Patent No. 6,552,662 to Bomya et al. ("Bomya"). Applicants note that the publication date of Castagner, October 26, 2001, is after the foreign priority date of January 31, 2001, of this application. In order to perfect this claim to foreign priority, Applicants are submitting herewith a certified copy of the foreign priority application and a verified English translation of this application. Accordingly, in view of Applicants' entitlement to an earlier foreign priority date, withdrawal of the above-referenced rejections is respectfully requested.

Claims 1-4 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over United States Patent No. 6,139,050 to Bultel et al. ("Bultel") in view of Lu. Applicants have amended claim 1 to recite that the means for coupling included in a motorcycle suit itself includes at least one radio station for transmitting data to a trigger device attached to a motorcycle. Applicants have also amended claim 4 to recite a radio station that is provided in a trigger device for triggering an airbag of a motorcycle suit and that is for receiving data from a transmitter provided in the motorcycle suit. Support for these amendments is found at least in page 4, lines 13-21, of the specification. Unlike the claimed invention, the transmission of data between motorcycle and motorcycle suit in Bultel occurs only from motorcycle to suit, not from suit to motorcycle. Column 5, lines 10-11 ("In the example given above, firing is triggered by a radio signal from the motorbike to the suit."). As a further indication that signal transmission is only from motorcycle to suit in Bultel, note how Bultel calls the radio signal device in the suit a receiver card 8, instead of transmission card or transceiver card. As for Lu, which relates to a motor cycle helmet provided with a warning light that is lit when a driver wearing the helmet applies the brakes of the motorcycle, the transmission of signals in Lu also occurs only from the motorcycle (via flux generator 18) to the helmet (via wire loops 24). Thus, in view of this discussion, Applicants submit that claims 1-4 are patentable over Bultel and Lu.

Claims 5 and 6 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Bultel in view of Lu and Bomya. Since Bomya does not overcome the deficiencies noted above with respect to Lu and Bultel, Applicants submit that these claims are patentable for at least the same reasons given in support of the patentability of claim 4.

Notwithstanding the above, Applicants provide the following additional reason in support of the patentability of claim 6. According to the Examiner, column 3, lines 1-30, and column 5, lines 22-23, teach the phase-shift based structure recited in claim 6 for detecting seat occupancy. Applicants disagree. In particular, the cited portion of column 3 of Bomya describes a device for detecting seat occupancy by detecting magnetic flux. Magnetic flux, however, is not the same phenomenon as phase shift. Magnetic flux is the product of the average magnetic field times the perpendicular area that it penetrates. In contrast, phase shift means a change in phase of a periodic signal with respect to a reference. Since a seat occupancy system that performs its function based on measuring magnetic flux is not necessarily the same as one that relies on phase-shift measurement, Applicants submit that Bomya does not teach the invention of claim 6. As for the portion of column 5 relied on by the Examiner, this portion mentions a phase-shift oscillator, but there is no teaching of using phase-shifts as the basis for detecting seat occupancy.

It is respectfully submitted that the subject matter of the present application is new, non-obvious, and useful. Prompt consideration and allowance of the application are respectfully requested.

Respectfully submitted,

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